

REMARKS

Claims 1-39 are pending in this application of which claims 1, 5, 7-9, 15-17, 21-24, 26, 37, and 39 are amended. Applicant reserves the right to pursue the amended claims as previously presented in a continuation application. Applicant thanks the Examiner for allowing claims 28-36. Applicant also thanks the Examiner for clarifying in a telephone interview on October 27, 2004 that claims 1-25 and 37-39 contain allowable subject matter and would be allowable if claims 1, 5, 8, 9, 21, and 37 were rewritten so as to invoke 35 U.S.C. §112, sixth paragraph with respect to certain limitations. In view of the amendments, Applicant respectfully requests reconsideration of claims 1-27 and 37-39.

The Rejections

Claims 1-25 and 37-39 have been rejected under 35 U.S.C. §112, second paragraph as being indefinite. Claims 26 and 27 have been rejected under 35 U.S.C. §102(b) as being anticipated by Skovgaard (World Publication No. 99/13411).

Rejections under 35 U.S.C. §112, Second Paragraph

Claims 1-25 and 37-39 have been rejected under 35 U.S.C. §112, second paragraph as being indefinite. The Examiner has indicated, however, that these claims would be definite under 35 U.S.C. §112, second paragraph if claims 1, 5, 8, 9, 21, and 37 were rewritten so as to invoke 35 U.S.C. §112, sixth paragraph. Accordingly, claims 1, 5, 8, 9, 21, and 37 have been amended to conform to the interpretations provided by the Examiner on page 3 of the Office Action. Claims 7, 15-17, 22-24, and 39 have also been amended to conform to the claims from which each depends. Applicant therefore requests that the Examiner withdraw the rejections of claims 1-25 and 37-39 under 35 U.S.C. §112, second paragraph.

Rejections under 35 U.S.C. §102(b)

Claims 26 and 27 have been rejected under 35 U.S.C. §102(b) as being anticipated by Skovgaard. The Examiner has indicated that the phrase “if the potential incompatibility” is in a conditional sense, or in the alternative, and therefore the step

invoked by the phrase is not necessarily performed by the claimed method. Thus, the claim may be anticipated by a reference even though that reference does not teach the step invoked by the conditional or alternative phrase.

Applicant notes that Skovgaard does not teach or suggest modifying the result by eliminating the potential incompatibility when the potential incompatibility is caused solely by the specification of the first domain member and constraint propagation resulting from the specification of the first domain member. Accordingly, claim 26 has been amended so that 1) the step of modifying the result is a required step of the method, and so that 2) the potential incompatibility is required to be caused solely by the specification of the first domain member and constraint propagation resulting from the specification of the first domain member. As amended, claim 26 is not anticipated by Skovgaard. Applicant therefore requests that the Examiner withdraw the rejection of claim 26, and claim 27 depending therefrom, under 35 U.S.C. §102(b).

All claims are now allowable and therefore the Applicant kindly requests a Notice of Allowance from the Examiner. Should the Examiner have questions, the Applicant's undersigned attorney may be reached at the number provided.

Respectfully submitted,

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